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WATERLOO AREA LOCAL GOVERNMENT REVIEW

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SUMMARY



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WATERLOO AREA LOCAL GOVERNMENT REVIEW

COMMISSIONER

STEWART FYFE

Ontario

*Prepared by The Municipal Research Branch,
Department of Municipal Affairs. The
Report is an expression of opinion by the
Special Commissioner and is not a
Government policy statement.

Copies of the Report are available in each of
the Public Libraries in the Waterloo Area, or
may be obtained, for a charge of two dollars,
from the Department of Municipal Affairs, 801
Bay St, Toronto 5, Ontario. Copies of this
Summary may be obtained, free of charge, from
the Department of Municipal Affairs.

The Waterloo Area Local Government Review Report

examined in depth the effectiveness of the existing local government arrangements in the Waterloo Area, (the cities of Galt, Kitchener, Waterloo and member municipalities in the county of Waterloo). It concluded that changes are needed if the area is to cope adequately with future development.

The Report underlines the importance of responsibility and responsiveness in government. Its major concern is with sharpening and simplifying this responsibility while at the same time encouraging the recognition that effective government can result only if both provincial and local government in Ontario are strong and responsive. The recommendations are directed to improving 1) the decision making authority of local councils, 2) the recognition of community of interest, 3) the economic base and 4) the present relationship between the province and the municipalities. These concerns are reflected in recommendations which may be grouped into three inter-related categories:

1. Internal political and administrative organization;
2. Local-Provincial relationships;
3. Local territorial jurisdiction.

INTERNAL POLITICAL AND ADMINISTRATIVE ORGANIZATION

The Report pays particular attention to the existence of many special purpose boards and commissions in the area. It points out that many local policies are made by bodies substantially removed from the control of municipal councils. The numerous special purpose boards and commissions complicate representation and accountability, and cannot be held to be as responsive to, or as representative of, the public as the municipal council. Because of the proliferation of bodies, there is no one body in any of the existing municipalities that can determine priorities for all local services or co-ordinate these policies and services. This arrangement is also confusing to the public; it is also expensive in terms of uncoordinated policies, staff and equipment.

Accordingly, the Commission recommended in general that: There be a drastic reduction in the number of boards and commissions. Where their abolition is not possible, they should be brought into a more direct relationship with the municipality and standard procedures for appointment, terms of office and accountability and finance should be established. The sharing of facilities and administrative and other specialized staff and equipment, the establishment of uniform personnel, accounting and purchasing practices, and greater control over their budgeting, is desirable. (p. 163)¹

¹ Throughout the summary relevant page references within the Report will be indicated.

In particular the commission recommended that:

1. Water-supply be the responsibility of the municipal council; (p.50)
2. A change in the composition of Conservation Authorities be made to make them more representative by population and financial contribution. Re-allocation of their functions and examination of Provincial grants are also recommended; (p. 54)
3. Police Commissions be enlarged to include at least one more municipal councillor, and responsibility for licensing should be the responsibility of the municipal council; (p. 62)
4. Suburban Roads Commissions be abolished and their functions assumed by the County Roads department. Possibly road grants should be adjusted; (p. 72)
5. The responsibility for Public Utilities Commissions be turned over to municipal councils. If this is not acceptable Public Utilities Commissions should be appointed rather than elected; (p. 77)
6. Social services be integrated into general welfare units; (p. 92)
7. Education be a function of Council, failing this the Separate School Board's jurisdiction be made the same as that of the County Board of Education; (pp. 181 and 100)

8. Severances be the responsibility of the planning authority and planning should be the responsibility of council. (p.154)

The Commission has also made recommendations relating to the more general aspects of municipal organization:

1. Limitations on the size of township councils should be removed so that a council can enlarge itself to permit more diverse representation. (p. 160).
2. Ward boundaries should be reviewed at least once every ten years. Representation should be based on the number of residents rather than the number of voters. In establishing ward boundaries communities of interest and approximate equality in representation should be considered. It is suggested that wards should not differ in population more than twenty percent initially. (p. 161).
3. Representation on county councils or on any other proposed upper tier body having major service responsibilities should be by direct representation on a ward basis, the boundaries of which follow those of the constituent municipalities as much as

possible. (p. 162)

4. The office of reeve (and in towns, of deputy-reeve) should no longer be filled by a separate voting procedure. (p. 164)
5. All elections should be for a three year term, with a common election date. School board elections, if continued, should be at the same time and for the same term as for municipal offices. The head of the county or regional council should be chosen by the members of the council from among its own members. (p. 165)
6. There is a need to use committees to a greater degree to broaden representation, to formulate recommendations, and to make decisions on matters of detail. (p. 166)
7. The requirement for a Board of Control should be repealed and councils should be allowed to determine their own committee structure in all respects (p. 164)
8. More emphasis should be given to the role of the senior staff of local governments in management and co-ordination in negotiations with outside bodies. Improving the quality and breadth of outlook of the senior staff of local governments in the area is essential not only to its success of the reforms recommended in this report but also to ensure the continuing vitality of local government. (p. 166)
9. The responsibilities and underlying principles of local

government should be set out as clearly as possible, and municipal law and required financial and accounting practices should be examined with a view to their simplification. (p. 164)

10. Greater attention should be paid to the systematic collection and analysis of information about the Area on a continuing basis. The mandate of the planning departments to work in these areas as part of the municipal administration should be made explicit.

(p. 162)

11. Special provision should be made to cover the cost of preparing for reorganization, and to cover some of the costs of bringing services to a common standard such as changing records, purchasing additional equipment, and hiring new staff. These grants should amount to a minimum of \$3.00 per person, \$1.00 of which is to be used for transitional expenses to be paid in the year prior to reorganization taking effect, and the balance to be paid over the succeeding two years.

(p. 170)

LOCAL-PROVINCIAL RELATIONS

The Commission is critical of existing local-provincial relations as these apply to grants and to policies. The report states that the multiplicity of grants and the great variation in the nature of the conditions attached to most of them arises at least in part because of the profusion of

provincial or local bodies involved. It is impossible to obtain a clear idea of who is responsible for what, or whether policies are consistent. Many of the grants are so minor that their value is questionable; others are so elaborate that their precise effect is impossible to determine and the volume of administrative and accounting procedures which they generate must be very costly to both local and provincial levels. At the same time questions of perspective are raised as to why grants are made for some activities and not others. The Commission recommends that the Department of Municipal Affairs be made responsible for grants. At the very least it should have increased responsibility for co-ordinating all aspects of grants, including the accounting and the administrative procedures.

(p. 118)

The provincial role must be carefully considered not only in terms of financial support required for local government but also its general attitude towards local government. The Commission endorses the following recommendations of the Select Committee on Municipal Law:

1. That all legislation affecting municipalities be written in as general terms as possible but that restrictions on, or detailed provisions relating to, the use of powers, be only provided when
 - (a) it is essential that there be uniform practice in all municipalities;
 - (b) it is obvious that there will be serious

undesirable results for other municipalities or the province if powers are misused or abused;

- (c) the powers could unjustly affect the rights of individuals if not used properly;
- (d) there is a danger that the power of the electorate to control the council and officials would otherwise be impeded;
- (e) the provincial government through a specific grant is paying a major share of the cost of an activity or project.

2. That when approval of a Provincial department or agency is required, the department or agency responsible should clearly state its policies and administrative practices for the information of both the municipalities and the individuals who may be affected and when approval is not given the reasons should be stated.
3. That greater use be made of permissive, rather than mandatory legislation, so that municipalities will have greater freedom to work out procedures and arrangements appropriate to local circumstances. (p. 173)

The Commission believes that the role of the Ontario Municipal Board has become too overbearing. The present lack of legislation to guide the Board in exercising many of its powers is clearly at variance with the principle of ministerial responsibility. In the absence of government policy, the Board has had to establish its own, and while the results are often eminently satisfactory, these are not the sort of responsibilities which should rest with an appointed body - no matter how capable. One result is to erode the government's

capacity to ensure a viable local government structure for the Waterloo Area. (p. 175)

The Commission sees a need for better co-ordination at the provincial level so as to ensure an integration of provincial policies concerning local government. (p.177)

The Commission accordingly recommends:

1. that the preparation and expression of provincial plans on a regional basis be given greater emphasis; (p. 177)
2. that the province develop more explicit and coherent policies on the role of local government as part of the total government structure of the province, and that the role of the Department of Municipal Affairs as the body responsible for the development and implementation of such a policy be strengthened. (p. 177)

LOCAL TERRITORIAL JURISDICTION

The concept of one big city for the area is ruled out. In view of the deficiencies of the smaller municipalities and the issues being raised by urbanization, the Commission also rejects leaving the structure substantially as it exists.
(p. 178)

Two alternative schemes are offered for re-organizing municipal boundaries and re-allocating responsibilities.

Underlying these proposals, it is assumed:

1. that there will be a considerable reduction of the number of boards and commissions, their functions being assumed by the respective municipalities with a consequent improvement in their political, administrative and financial capacity;
2. that modifications will be made in the municipal grant formula so that there will be less incentive for planning by assessment;
3. that municipal boundaries should recognize community interests in common services;
4. that there will be some changes in the way provincial responsibilities are carried out, but that the province will continue to take a strong

interest in matters of major concern, and provide some services of a regional nature;

5. and, finally, that the very small municipalities cannot continue to exist separately.

Scheme A. A reorganized City-County System

Three major municipalities would be established - two cities and a county, the latter having five local municipalities within it.

The Two Cities

The City of Waterloo (or Kitchener-Waterloo) - formed by amalgamating Kitchener, Waterloo, Bridgeport, adjoining parts of Waterloo Township west of the Grand River, and some areas east of the Grand along Highway 8 and adjoining Bridgeport.

Population: approximately 145,000

Council: Minimum of 15 members.

The City of Galt - formed by amalgamating Galt, Preston, Hespeler and immediately adjoining parts of North Dumfries and Waterloo Townships

Population: 60,000

Council: 15 members

Both cities should have sufficient room within these boundaries for development for many years.

The County of Waterloo

The County would be composed of five municipalities, as follows:

1. Township of North Dumfries, Ayr, and part of Beverly Township.
Population: 5,600
Council: Seven members.
2. Township of Wilmot including New Hamburg and the easterly remainder of Waterloo Township.
Population: 10,700
Council: Nine members.
3. Township of Wellesley including the Village of Wellesley.
Population: 6,000
Council: Seven members.
4. Town of Elmira - unchanged, though some modest boundary extensions should be considered.
Population: 4,462
Council: Nine members as at present.
5. Township of Woolwich including the part of Waterloo Township lying east of the Grand River and north of Preston.
Population: 11,000
Council: Nine members.

A ward system is proposed for the two cities and the five municipalities within the County.

The County of Waterloo would have a population of 37,000

with council of 14 members elected directly on a ward basis. The County Council would consist of approximately two representatives from each municipality with four from Wilmot and Woolwich.

The following would be the county responsibilities: planning, major roads, fire, police, library, welfare, public health, the operation of local sewage disposal systems through an expanded county works department, area parks, licensing and inspection, education and (ultimately) assessment. All other functions would remain at the town or township level.

This scheme would reduce the number of municipalities with major responsibilities from 16 to three, which would greatly simplify provincial-municipal relations and increase the possibility of joint action and co-operation at the local level.

The possibility of extending the county boundaries in several directions to give better recognition to the limits of the Waterloo region is also suggested. In addition to that part of Beverly Township already mentioned, the minimum addition suggested involves:

- a) parts of Puslinch, South Dumfries and Blenheim Townships to North Dumfries (Population 2,500)
- b) parts of North and South Easthope Townships to Wilmot Township (Population 1,000)
- c) part of Peel Township to Woolwich Township (Population 1,000)

These additions would bring the county population to approximately 41,500. (p.p. 178-180).

Scheme B: A Regional Government

A regional government would be established, comprising a regional municipality and eight local municipalities. (The printed report states " a regional municipality and seven local municipalities". Please note that this should read eight local municipalities, not seven.)

- a) City of Waterloo - the present municipality with some annexations from Waterloo Township. Population 35,000, approximately.
- b) City of Kitchener including the Village of Bridgeport and parts of Waterloo Township as described in Scheme A. Population 109,000.
- c) City of Galt - as described in Scheme A. Population 60,000.
- d) Township of North Dumfries - as described in Scheme A. Population 5,600 increasing to 7,800 if parts of Blenheim, South Dumfries and Puslinch Township were added.
- e) Township of Wilmot - as described in Scheme A. Population 10,700 increasing to 11,700 if parts of North and South Easthope Townships were added.

- f) Township of Wellesley - as described in Scheme A. Population 5,967.
- g) Town of Elmira. Population 4,462.
- h) Township of Woolwich - as described in Scheme A. Population 10,000 increasing to 10,500 if part of Peel Township was added.

In so far as the regional municipality would be responsible for over-all services, the case for amalgamation of Kitchener and Waterloo at this time is weakened.

If representation² were based on one councillor for each 12,000 urban population and 6,000 rural population the results could be as follows:

Waterloo	3
Kitchener	9
Galt	5
North Dumfries	1
Wilmot	2
Elmira	1
Wellesley	1
Woolwich	<u>2</u>
	24

²Other examples given in the Report, Chapter 23.

The regional municipality would be responsible for assessment, planning (with an obligation to consult the local municipalities on matters of local concern), licensing and inspection, water supply and treatment, sewage treatment plants and trunk mains, major roads, regional parks, education, health and welfare. Representation on the conservation authority and similar area-wide special-purpose bodies would be determined by the regional municipality. For certain services such as licensing and libraries, responsibility might be delegated to the cities, and their share of the regional tax levy reduced.

The Commission feels that in a regional municipality the rural voice would become very weak. The Report further states that the Council would have to be doubled in size, and representation grossly distorted, to allow the inhabitants of the rural areas and small urban centres to have a significant voice. (pp. 180-181).

The Recommended Structure

Of the two schemes proposed, Scheme A, the reorganized city-county system is recommended.

The Commission argues that the interest in common between urban and rural areas and between the two urban complexes does not seem strong enough to warrant one government for the whole area at this time. Whether conditions will have changed sufficiently

in twenty years time to warrant a metropolitan or regional concept, it is impossible to tell. However, changes in the relationship of Guelph and large parts of Wellington County to the Waterloo and Toronto Metropolitan Areas will probably warrant a further review in any case.

The differences between urban and rural are still significant in this area. This is not a metropolitan area faced with major problems of over-spill and weak rural government, as in the other local government reviews. If the city boundaries are extended somewhat, and if the rural municipalities are willing to restrict growth and to provide more urban-type services, then the number of services in which the urban and rural areas will have common interests will be greatly reduced. Some of the remaining problems can be met by co-operative action or by the purchase of specific services such as access to hospitals and health services. Many of the problems of local government in the area cannot be resolved without changes in the pattern of provincial activities and the provincial attitudes to local government.

It is inherent in these reorganizations that the rural municipalities should take a more restrictive view of urban-type development. Otherwise, the problems occasioning this Review will recur in more intractable forms and the urban centres will have to have a stronger voice in what happens in the surrounding rural areas.

Under the reorganized city-county scheme, control is exercised through the Provincial Government. The regional municipality proposal on the other hand, gives the cities a controlling voice in rural development through their voting strength on the regional council.

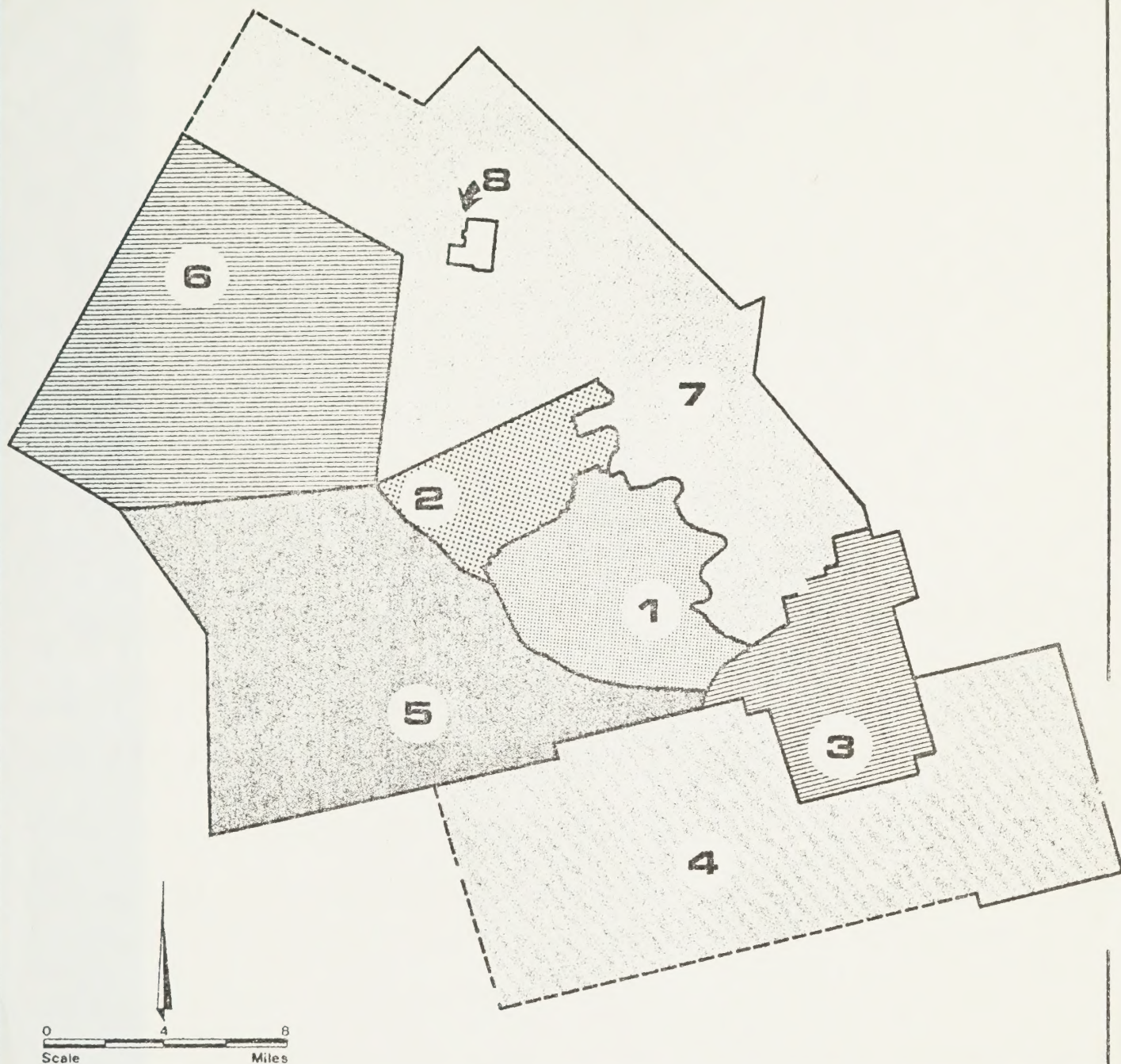


Legend

- 1 Waterloo (or Kitchener Waterloo)
- 2 Galt
- 3 North Dumfries
- 4 Wilmot
- 5 Wellesley
- 6 Woolwich
- 7 Elmira

Scheme A

RE-ORGANIZED CITY-COUNTY STRUCTURE
(RECOMMENDED REFORM)



Legend

- 1 Kitchener
- 2 Waterloo
- 3 Galt
- 4 North Dumfries
- 5 Wilmot
- 6 Wellesley
- 7 Woolwich
- 8 Elmira

Scheme B - CONVENTIONAL TWO-TIER REGIONAL MUNICIPALITY



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